

dy



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/605,683	06/26/2000	Michael D. Ellis	UV-154	5787

7590 08/24/2005

G Victor Treyz
Fish & Neave
1251 Avenue of the Americas
New York, NY 10020-1104

EXAMINER

SALTARELLI, DOMINIC D

ART UNIT	PAPER NUMBER
----------	--------------

2611

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/605,683

Applicant(s)

ELLIS, MICHAEL D.

Examiner

Dominic D. Saltarelli

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7-11, 94-97 and 100-104 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7-11, 94-97 and 100-104 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/29/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed June 29, 2005 have been fully considered but they are not persuasive.

First, applicant argues that neither Britt for Farris disclose the claimed limitation of a user issuance of a command to display newsgroup listings and displaying the newsgroup listings upon said command, said listings are related to subject matters of the content displayed (applicant's remarks, page 3, last paragraph through page 4, second paragraph, referring to claims 1 and 94).

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this case, Britt discloses the claimed limitations of a user issuance of a command to display **additional information** retrieved from the Internet and displaying the **additional information** upon said command, said **additional information** related to subject matters of the content displayed. Just as claimed. The only missing element is for the nature of the additional information to be newsgroup listings. Farris remedies this deficiency by teaching newsgroups as a popular source of information retrieved from the Internet relating to different subjects. Simply put, Farris provides a motivation for utilizing

newsgroup listings (which are retrieved from the Internet) as the source of additional information (which is retrieved from the Internet) disclosed by Britt.

Second, applicant alleges that Farris does not disclose anything pertaining to viewing newsgroup listings (applicant's remarks, page 4, second paragraph).

In response, examiner fails to see how any reference that explicitly teaches the use of newsgroups fails to disclose viewing newsgroup listings.

Third, applicant argues that the motivation provided for combining Britt and Farris is insufficient as a matter of law, stating that the systems disclosed are non-analogous and the motivation provided was a broad conclusory statement which was not supported by an objective teaching found in the prior art (applicant's remarks, page 4, last paragraph through page 5, last paragraph).

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Farris provides a clear objective teaching for the desirability of accessing newsgroup listings for information relating to particular

Art Unit: 2611

subjects, as cited in Farris col. 22, lines 53-58, newsgroups are "popular" and "widespread" and thus a desirable source of information, and as cited in Farris col. 23, lines 18-27, newsgroups are widespread and heavily used and thus a desirable source of information. The motivation provided, "... the benefit of incorporating extremely popular and user interactive sources of information", as shown, is firmly supported by the teachings found in Farris. Additionally, the argument regarding the non-analogous nature of Britt and Farris is irrelevant, as the only teachings relied upon in Farris is the existence and nature of newsgroups as a source of information from the Internet.

Fourth, applicant argues that neither Britt, Farris, nor Cirasole teach using an automated filter to moderate newsgroup messages that are displayed using an interactive television application (applicant's remarks, page 6, last paragraph through page 7, first paragraph, referring to claims 27 and 120).

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this case, Britt provides the primary teaching of a television system wherein additional information is retrieved from the Internet (Britt, col. 5, lines 6-35), Farris provides the motivation for specifically utilizing newsgroups as a source of information retrieved from the Internet (Farris, col. 22,

Art Unit: 2611

lines 53-58 and col. 23, lines 18-27), and lastly, Cirasole provides the motivation for filtering Internet data (Cirasole, col. 4, lines 11-19 and col. 5, lines 8-42), and thus it is the combination of Britt, Farris, and Cirasole that collectively teach the claimed limitation of an automated filter (Cirasole) to moderate newsgroup messages (Farris) that are displayed using an interactive television application (Britt).

Fifth, applicant argues that the motivation provided for combining Britt and Farris is insufficient as a matter of law, stating that the systems disclosed are non-analogous and the motivation provided was a broad conclusory statement which was not supported by an objective teaching found in the prior art (applicant's remarks, page 7, second paragraph through page 8, second paragraph).

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation cited, "... the benefit of providing control of the content delivered to users, such as providing parental control, or

limiting content to specific subjects" is supported in Cirasole, col. 5, lines 31-43, which teaches using filtering to restrict use to particular areas, such as parents specifying acceptable content for the home, teachers specifying content to be used in a educational setting, and business administrators specifying content to be used in a business setting. Additionally, the argument regarding the non-analogous nature of Britt, Farris, and Cirasole is inapplicable, as the teachings gleaned from each all deal specifically with the retrieval of information from the Internet.

Sixth, applicant argues that neither Alexander nor Farris disclose the claimed limitation of displaying simultaneous display of a reduced size version of television programming in one section of a display and newsgroup content in a second section of the display, where the newsgroup content is related to the subject matter of the television programming (applicant's remarks, page 9, second and third paragraphs, referring to claims 53 and 146).

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this case, Alexander teaches all the claimed limitations except for the specific nature of the additional information being shown in the second section of the display (Alexander, col. 3 lines 56 – col. 4 line 13

Art Unit: 2611

and col. 4 line 62 – col. 5 line 4). Farris remedies this deficiency by teaching newsgroups as a popular source of information relating to different subjects (Farris, col. 22 line 52 – col. 23 line 27). Simply put, Farris provides a motivation for utilizing newsgroup listings as the source of additional information displayed Alexander.

Lastly, applicant argues that the motivation provided for combining Britt and Farris is insufficient as a matter of law, stating that the systems disclosed are non-analogous and the motivation provided was a broad conclusory statement which was not supported by an objective teaching found in the prior art (applicant's remarks, pages 10 and 11).

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Farris provides a clear objective teaching for the desirability of accessing newsgroup listings for information relating to particular subjects, as cited in Farris col. 22, lines 53-58, newsgroups are "popular" and "widespread" and thus a desirable source of information, and as cited in Farris

Art Unit: 2611

col. 23, lines 18-27, newsgroups are widespread and heavily used and thus a desirable source of information. The motivation provided, "... the benefit of incorporating extremely popular and user interactive sources of information", as shown, is firmly supported by the teachings found in Farris. Additionally, the argument regarding the non-analogous nature of Britt and Farris is irrelevant, as the only teachings relied upon in Farris is the existence and nature of newsgroups as a source of information.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 7-11, 94-97, and 100-104 are rejected under 35 U.S.C. 103(a) as being unpatentable over Britt, Jr. (6,141,678) [Britt] in view of Farris et al. (5,881,131) [Farris].

Regarding claims 1 and 94, Britt discloses a method and system for allowing a user to access additional data via an interactive television application (col. 6, lines 14-26, 46-52) that is implemented using user television equipment (fig. 1, client 110) having a display on which content is displayed (col. 3, lines 39-58), comprising:

Art Unit: 2611

Allowing the user to issue a command associated with viewing the additional data (col. 6, lines 46-52); and

Displaying the additional data on the display upon the user issuing the command (col. 5, lines 26-30, the user identifier allows a user to initiate the retrieval and display of additional information), wherein all of the additional data displayed is related to subject matters of the content displayed on the display by the interactive television application (col. 6, lines 16-20).

Britt fails to disclose the additional data is newsgroup listings.

In an analogous art, Farris teaches the use of newsgroups as an Internet source of information on all manner of topics (col. 22 line 52 – col. 23 line 27), wherein newsgroups are extremely popular online forums for users to share information (col. 22, lines 53-58 and col. 23, lines 18-27).

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system of Britt to access newsgroup listings, as taught by Farris, for the benefit of incorporating extremely popular and user interactive sources of information.

Regarding claims 2-4 and 95-97, Britt and Farris disclose the method and system of claims 1 and 94, wherein the newsgroups listings includes USENET group listings (Farris, col. 22, lines 53-58), but fail to disclose the newsgroup listings include proprietary newsgroup listings or third-party newsgroup listings.

Examiner takes official notice that newsgroups are hosted by any party with an interest in the subject to which the newsgroup is aimed, including proprietary parties and third parties, such as individual users, fan clubs, advertisers, sponsors, and content providers, and all such newsgroups are more than often available and open to the public at large for perusal.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system disclosed by Britt and Farris to include proprietary newsgroup listings and third-party newsgroup listings, as such group listings are available for all manner topics, and including proprietary and/or third party listings would increase the diversity of information retrieved for viewing by a user.

Regarding claims 7 and 100, Britt and Farris disclose the method and system of claims 1 and 94, wherein issuing a command is comprised of selecting a selectable element from the display (Britt teaches using a user selectable interface for retrieving additional information, col. 6, lines 46-52).

Regarding claims 8 and 101, Britt and Farris disclose the method and system of claims 1 and 94, wherein users are allowed to select one of the newsgroup listings and newsgroup message listings associated with the selected newsgroup listing are displayed (as this is how newsgroups operate in practice).

Regarding claims 9, 10, 102, and 103, Britt and Farris disclose the method and system of claims 8 and 101, wherein all available newsgroup message listings are displayed (as all the available displayed messages are the newest messages, as Farris teaches older messages are periodically purged to make room for new messages, col. 23, lines 6-11).

Regarding claims 11 and 104, Britt and Farris disclose the method and system of claims 8 and 101, wherein users are allowed to select one of the newsgroup message listings and, upon selection, displaying the newsgroup message associated with the selected newsgroup message listing on the display (as this is how newsgroups operate in practice).

4. Claims 5, 6, 13-15, 98, 99, and 106-108 are rejected under 35 U.S.C. 103(a) as being unpatentable over Britt and Farris as applied to claims 1 and 94 above, and further in view of Alexander et al. (6,177,931) [Alexander].

Regarding claims 5 and 98, Britt and Farris disclose the method and system of claims 1 and 94, but fail to disclose simultaneously displaying content on the display.

In an analogous art, Alexander teaches an electronic program guide (fig. 1) wherein users view additional content additional data (ad windows, program listings data, detail program data, as shown in fig. 8, col. 3, lines 1-20) simultaneously with television content (PIP window in fig. 8, col. 3, lines 56-62),

Art Unit: 2611

for the benefit of maximizing the display space of the television, allowing a user to peruse additional information and still see the television content, such that the user does not "miss" any content of interest.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system of claims 5 and 98 to include simultaneously displaying content on the display, as taught by Alexander, for the benefit of a user to peruse the newsgroup listings and still see the television content, such that the user does not "miss" any content of interest.

Regarding claims 6 and 99, Britt and Farris disclose the method and system of claims 1 and 94, but fail to disclose issuing a command is comprised of pressing a button on a remote control.

In an analogous art, Alexander teaches using a remote control (fig. 2, remote controller 26) to issue commands to a television (col. 3, lines 21-36), for the benefit of providing a convenient means to users for issuing commands.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system disclosed by Britt and Farris to include issuing a command by pressing a button on a remote control, as taught by Alexander, for the benefit of providing a convenient means to users for issuing commands to said interactive television system.

Regarding claims 13 and 106, Britt and Farris disclose the method and system of claims 1 and 94, but fail to disclose simultaneously displaying an interactive advertisement on the display.

In an analogous art, Alexander teaches an electronic program guide (fig. 8) wherein users are presented with interactive advertisements (col. 4, lines 35-43) simultaneously with other content (fig. 1), providing an improved opportunity for commercial advertisers to reach viewers (item F listed in the summary in col. 2).

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system disclosed by Britt and Farris to include simultaneously displaying an interactive advertisement on this display, as taught by Alexander, for the benefit of providing commercial advertisers improved opportunities to reach viewer using high visibility advertisements.

Regarding claims 14, 15, 107, and 108, Britt and Farris disclose the method and system of claims 1 and 94, but fail to disclose program listings as the content (interactive television program guide) and displaying newsgroup listings on the display upon the user issuing the command, wherein all of the newsgroup listings that are displayed are related to the subject matter of a single program listing from the displayed program listings.

In an analogous art, Alexander teaches an electronic program guide (fig. 1) which displays program listings (grid guide 22 in fig. 1), and upon user

Art Unit: 2611

actuation of a command for retrieving additional information (user presses the "info" key 40), the additional information is displayed with relates to the selected program listing from the displayed program listings (col. 4 line 57 – col. 5 line 4), conveniently enabling users to retrieve desired additional information on a large number of different programs that are easily identified from a displayed program guide.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system of Britt and Farris to include displaying program listings as the content and retrieving additional information related to a selected program listing upon a user issued command, as taught by Alexander, wherein the additional information is newsgroup listings of related subject matter, as described above regarding claims 1 and 94, for the benefit of conveniently enabling users to retrieve newsgroup listings on a large number of different programs that are easily identified from a displayed program guide.

5. Claims 12 and 105 are rejected under 35 U.S.C. 103(a) as being unpatentable over Britt and Farris as applied to claims 11 and 104 above, and further in view of Dillon et al. (US 2002/0059526 A1) [Dillon].

Regarding claims 12 and 105, Britt and Farris disclose the method and system of claims 11 and 104, but fail to disclose allowing the user to access at least one attachment associated with the displayed newsgroup message,

Art Unit: 2611

activating an application associated with the attachment, and using the application to display the content of the attachment.

In an analogous art, Dillon teaches it is common for newsgroup messages to include attachments (paragraph 0007), wherein accessing the attachments requires activating an application which displays the content of the attachment (such as a media player for audio or video files, or an image viewer for static image files).

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system of Britt and Farris to include allowing the user to access at least one attachment associated with the displayed newsgroup message, activating an application associated with the attachment, and using the application to display the content of the attachment, as taught by Dillon, for the benefit of enabling users to view the attachments that are often included with newsgroup messages.

6. Claims 27-31, 34, 35, 120-124, 127, and 128 are rejected under 35 U.S.C. 103(a) as being unpatentable over Britt in view of Farris and Cirasole et al. (5,987,606) [Cirasole].

Regarding claims 27 and 120, Britt discloses a method and system for displaying additional information to a user of an interactive television application (col. 6, lines 14-26, 46-52) comprising, allowing the user to use the interactive

Art Unit: 2611

television application to access the additional information (col. 6, lines 46-52), and displaying the additional information to the user (col. 6, lines 46-52).

Britt fails to disclose the additional data is moderated newsgroup listings.

In an analogous art, Farris teaches the use of moderated newsgroups as an Internet source of information on all manner of topics (col. 22 line 52 – col. 23 line 27), wherein newsgroups are extremely popular online forums for users to share information (col. 22, lines 53-58 and col. 23, lines 18-27).

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system of Britt to access moderated newsgroup listings, as taught by Farris, for the benefit of incorporating extremely popular and user interactive sources of information.

Britt and Farris fail to disclose using an automatic filter to moderate the newsgroup messages.

In an analogous art, Cirasole teaches using automatic filters (col. 4, lines 11-19 and col. 5 lines 8-25) to moderate retrieved content displayed to a user, for the benefit of providing control over the content delivered to users (col. 5, lines 31-42).

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system disclosed by Britt and Farris to include using an automatic filter, as taught by Cirasole, for the benefit of providing control over the content delivered to users, such as providing parental control, or limiting content to specific subjects.

Regarding claims 28 and 121, Britt, Farris, and Cirasole disclose the method and system of claims 27 and 120, and further disclose using a human moderator to moderate the newsgroup message (Farris, col. 22, lines 52-65).

Regarding claims 29-31 and 122-124, Britt, Farris, and Cirasole disclose the method and system of claims 27 and 120, but fail to disclose exactly where the moderation takes place.

Examiner takes official notice that it is notoriously well known to moderate, or filter, content delivered to users at both main facilities, such as television distribution facilities, and at locations other than main facilities, such as receiver stations, where main facilities will only broadcast content which is allowed to be viewed by certain users and receiver stations will only display content which is allowed to be viewed by certain users.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system of Britt, Farris, and Cirasole to perform the moderation at either a main facility, such as a television broadcast facility, or at a location other than a main facility or television broadcast facility, such as at the receiver station. The benefit of performing moderation at a main facility, such as a television broadcast facility, would allow the moderation to be controlled at a remote location, for controlling the delivery of content with regards to usage rights and/or privileges, such as paid or exclusive content going only to those

users who have paid for or otherwise have the right to said content. The benefit of providing moderation at a location other than a main facility or television distribution facility would allow the moderation to be controlled locally, such as providing parental control moderation.

Regarding claims 34 and 127, Cirasole additionally discloses allowing users to selectively identify and block access to particular sources of content (col. 5, lines 31-43), for the benefit of limiting sources to exclude unauthorized sources.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system of Britt, Farris, Cirasole to include allowing users to selectively identify and block access to particular newsgroups, as taught by Cirasole, using the interactive television program guide, for the benefit of limiting sources to exclude unauthorized sources, providing parental control over available newsgroups.

Regarding claims 35 and 128, Cirasole additionally discloses displaying a message to a user who attempts to access an unauthorized content source (col. 5, lines 44-50), alerting a user to the status of the content source with respect to the user.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system disclosed by Britt, Farris, and Cirasole to

Art Unit: 2611

include displaying a message to a user who attempts to access any of the selected newsgroups informing the user that the newsgroup is blocked from access, as taught by Cirasole, for the benefit of providing a clear indication to a user that a selected newsgroup is unauthorized, eliminating any confusion that may otherwise arise.

7. Claims 32, 33, 125, and 126 are rejected under 35 U.S.C. 103(a) as being unpatentable over Britt, Farris, and Cirasole as applied to claims 27 and 120 above, and further in view of Scharber et al. (6,374,290) [Scharber].

Regarding claims 32, 33, 125, and 126, Britt, Farris, and Cirasole disclose the method and system of claims 27 and 120, but fail to disclose the moderating is comprised of removing predefined words from the newsgroup messages in accordance with a predefined rating for the newsgroup associated with each respective newsgroup message.

In an analogous art, Scharber teaches self moderated virtual communities (col. 2, lines 44-46) wherein ratings are associated with different groups (col. 3, lines 46-31), and said ratings determine how messages in the groups are filtered (col. 3 line 63 – col. 4 line 15), and the removal of certain objectionable words or phrases based upon group rating is within spirit and scope of the disclosure (col. 5, lines 46-55), allowing virtual communities to automatically self moderate themselves to remove objectionable content from messages according to the preferences of the users (col. 4, lines 16-42).

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system disclosed by Britt, Farris, and Cirasole to include predefined ratings for newsgroups, wherein messages are filtered according to said predefined ratings, as taught by Scharber, wherein the ratings initiate the removal of predefined words from the messages, for the benefit of enabling self moderation of newsgroups to remove objectionable content from messages.

8. Claims 36 and 129 are rejected under 35 U.S.C. 103(a) as being unpatentable over Britt, Farris, and Cirasole as applied to claims 34 and 127 above, and further in view of Dillon.

Regarding claims 36 and 129, Britt, Farris, and Cirasole disclose the method and system of claims 34 and 127, but fail to disclose allowing one user to set an access code, allowing any number of users to attempt to access the selected newsgroups, asking the user attempting to access any of the selected newsgroups to enter the access code, and giving the user attempting to access any of the selected newsgroups access to the selected newsgroups one the user enters the access code.

In an analogous art, Dillon teaches enabling a user to password protect access to newsgroups at a subscriber location (paragraph 56), enhancing the security of a subscriber station.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system disclosed by Britt, Farris, and Cirasole to password protect access to newsgroups at the subscriber location, as taught by Dillon, providing enhanced security at the user location regarding the access to newsgroups, such that the primary user can selectively share said password with other trusted users.

9. Claims 37 and 130 are rejected under 35 U.S.C. 103(a) as being unpatentable over Britt, Farris, and Cirasole as applied to claims 34 and 127 above, and further in view of Alexander.

Regarding claims 37 and 130, Britt, Farris, and Cirasole disclose the method and system of claims 34 and 127, but fail to disclose the interactive television application is an interactive television program guide.

In an analogous art, Alexander teaches using an interactive television program guide (EPG, fig. 1) for accessing all manner of interactive television features and additional information (col. 3, lines 1-20 and col. 4, lines 62-67), wherein EPG's are widely used user interfaces which provide a great deal of information to users regarding television programming, additional information, advertisements, and configuration controls, and user command functions that are directly relevant to interactive television and interactive television systems.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system of Britt, Farris, and Cirasole to include an

Art Unit: 2611

interactive television program guide, as taught by Alexander, for the benefit of utilizing a user interface which provides a great deal of information to users regarding television programming in addition to the accessing of newsgroup listings and messages.

10. Claims 53-62 and 146-155 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander in view of Farris.

Regarding claims 53 and 146, Alexander discloses a method and system for displaying interactive television program guide content to a user (fig. 1) on user television equipment having a display (col. 3, lines 1-20), comprising:

Displaying television programming in a reduced size window in a first section of the display (fig. 1, PIP window 12, col. 3, lines 56-62); and

Simultaneously displaying additional information in a second section of the display (grid guide 22 displays additional information regarding programs, col. 4 line 62 – col. 5 line 4), wherein the additional information is related to the subject matter of the television programming (when the PIP is in unlocked mode, the program for which additional information is shown is that which is being displayed in the first section, col. 3 line 63 – col. 4 line 13 and col. 4 line 62 – col. 5 line 4).

Alexander fails to disclose the additional information consists of newsgroup content.

In an analogous art, Farris teaches the use of newsgroups as a source of information on all manner of topics (col. 22 line 52 – col. 23 line 27), wherein

newsgroups are extremely popular online forums for users to share information (col. 22, lines 53-58 and col. 23, lines 18-27).

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system of Alexander to access newsgroup content, as taught by Farris, for the benefit of incorporating extremely popular and user interactive sources of information.

Regarding claims 54 and 147, Alexander and Farris disclose the method and system of claims 53 and 146, wherein an interactive advertisement is simultaneously displayed in a third section of the display (Alexander, fig. 1, Ad Window 16, col. 4, lines 35-43).

Regarding claims 55, 56, 57, 148, 149, and 150, Alexander and Farris disclose the method and system of claims 53 and 146, wherein the newsgroup content includes newsgroup listings, message listings, and messages (this is the manner in which newsgroups operate, users select a desired newsgroup listing in order to enter a desired newsgroup, and are then presented with newsgroup message listings so that a user may select a desired message, wherein the user is then presented with said message).

Regarding claims 58 and 151, Alexander and Farris disclose the method and system of claims 53 and 146, wherein other content is simultaneously

Art Unit: 2611

displayed in a third section of the display (Alexander, Ad Window 14, col. 4, lines 28-34).

Regarding claims 59 and 152, Alexander and Farris disclose the method and system of claims 53 and 146, wherein other content is simultaneously displayed in a third section of the display (Alexander, Ad Window 14, col. 4, lines 28-34), but fail to disclose the newsgroup content in the second section of the display is related to the subject matter of the television programming and the other content.

Farris additionally discloses that a vast number of topics are covered by newsgroup listings (col. 23, lines 18-27), offering a very wide range of information to users.

It would have been obvious at the time to a person of ordinary skill in the art to display a large of number of newsgroup listings to users, as taught by Farris, wherein the combination of Alexander and Farris results in the newsgroup content relating not only to the television programming, but to the content in the third section as well, as this content is related to future programming (Alexander, col. 4, lines 28-34), for the benefit of increasing the amount of information available to users.

Regarding claims 60 and 153, Alexander and Farris disclose the method and system of claims 59 and 152, but fail to disclose the other content is comprised of text.

Alexander teaches the other content is preview information for future programming (col. 4, lines 28-34), and also discloses the PIP window can have a translucent overlay displaying the title and channel of displayed programming (col. 3, lines 56-62), suggesting the same may also be done with the other content advertising future programming, informing the user of the title of said programming and what channel it is to be aired on.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and system of Alexander and Farris to include text in the other content, as suggested by Alexander, for the benefit of informing the user of the title and channel of the future programming being advertised.

Regarding claims 61, 62, 154, and 155, Alexander and Farris disclose the method and system of claims 59 and 152, wherein the other content is comprised of video [graphics] (Alexander, col. 4, lines 28-34).

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2611

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

12. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

Art Unit: 2611

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on _____
(Date)

Typed or printed name of person signing this certificate:

Signature: _____

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) _____ - _____ on _____
(Date)

Typed or printed name of person signing this certificate:

Signature: _____

Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

Art Unit: 2611

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dominic D. Saltarelli whose telephone number is (571) 272-7302. The examiner can normally be reached on Monday - Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dominic Saltarelli
Patent Examiner
Art Unit 2611

DS



HAI TRAN
PRIMARY EXAMINER